

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

CELINA MUTUAL INSURANCE COMPANY,)
a member of a pool of companies known as)
Celina Insurance Group,)
)
Plaintiff,)
)
)
v.) Cause No. 1:18-cv-00045-WCL-SLC
)
)
JOHN WILLIAMS, et al.,)
)
)
Defendants.)

OPINION AND ORDER

Plaintiff Celina Mutual Insurance Company, a member of a pool of companies known as Celina Insurance Group (“Celina”), filed the complaint in this case on February 23, 2018, alleging diversity under 28 U.S.C. § 1332 as the basis for this Court’s jurisdiction. (DE 1 ¶ 2). This Court has an independent obligation to ensure that subject matter jurisdiction exists in an action before it. *See Arbaugh v. Y & H Corp.*, 546 U.S. 500 (2006); *Belleville Catering Co. v. Champaign Mkt. Place, L.L.C.*, 350 F.3d 691, 693 (7th Cir. 2003). As the party seeking to invoke federal diversity jurisdiction, Plaintiff bears the burden of demonstrating that the requirement of complete diversity has been met. *Chase v. Shop’n Save Warehouse Foods, Inc.*, 110 F.3d 424, 427 (7th Cir. 1997).

The complaint alleges that Defendant Jessica Goodwin and Defendant Scott Goodwin, individually and as a guardian and next friend of Jessica Goodwin, are residents of Indiana. (DE 1 ¶¶ 7-8). Residency is meaningless for purposes of diversity jurisdiction, however; an individual’s citizenship is determined by his or her domicile. *See Winforge, Inc. v. Coachmen Indus., Inc.*, 691 F.3d 856, 867 (7th Cir. 2012); *Heinen v. Northrop Grumman Corp.*, 671 F.3d

669, 670 (7th Cir. 2012) (“But residence may or may not demonstrate citizenship, which depends on domicile—that is to say, the state in which a person intends to live over the long run.”); *Guar. Nat'l Title Co., Inc. v. J.E.G. Assocs.*, 101 F.3d 57, 58-59 (7th Cir. 1996) (explaining that statements concerning a party’s “residency” are not proper allegations of citizenship as required by 28 U.S.C. § 1332).

Therefore, Plaintiff is AFFORDED to and including July 30, 2018, to file an amended complaint properly alleging a basis for the Court’s jurisdiction.

SO ORDERED.

Enter this 23rd day of July 2018.

/s/ Susan Collins
Susan Collins
United States Magistrate Judge

